



PATENT  
CUSTOMER NO: 32425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Alvin C. Powers *et al.*

Serial No.: 10/776,669

Filed: February 11, 2004

For: METHODS FOR IMPROVING  
PANCREATIC ISLET CELL  
TRANSPLANTATION

Group Art Unit: 1632

Examiner: Unknown

Atty. Dkt. No.: VBLT:033US

CERTIFICATE OF MAILING  
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

November 10, 2004

Date

Steven L. Highlander

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B)**

**MS MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated May 11, 2004, enclosed are:

- (a) Declaration executed on behalf of Alvin C. Powers, Marcela Brissova and Maureen A. Gannon;
- (b) A Power of Attorney on behalf of Vanderbilt University;
- (c) Preliminary Amendment;

- (d) Our check in the amount of \$1315.00 to cover the basic filing fee (\$395.00 – utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$90.00); four month extension of time fee (\$765.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (f) A Request for Extension of Time of four months to and including November 11, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Vanderbilt University and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:033US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 10, 2004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alvin C. Powers et al.

Serial No.: 10/776,669

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November 10, 2004

Date

Steven L. Highlander

**REQUEST FOR EXTENSION OF TIME TO RESPOND TO  
NOTICE TO FILE MISSING PARTS DATED MAY 11, 2004**

**MS MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

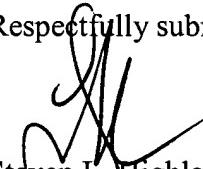
Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of four months to and including November 11, 2004 in which to respond to the Notice to File Missing Parts dated May 11, 2004.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$1315.00 is enclosed, which includes the process fee (\$765.00) for a four month extension of time.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/VBLT:033US.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 10, 2004



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,669	02/11/2004	Alvin C. Powers	VBLT:033US

32425  
FULBRIGHT & JAWORSKI L.L.P.  
600 CONGRESS AVE.  
SUITE 2400  
AUSTIN, TX 78701



**CONFIRMATION NO. 3480**  
**FORMALITIES LETTER**



\*OC000000012588845\*

Date Mailed: 05/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

### *Filing Date Granted*

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$90** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$540** for a Small Entity

11/16/2004 MBERHE 00000082 10776669

	395.00	OP
01 FC:2001	65.00	OP
02 FC:2051	90.00	OP
03 FC:2202		
04 FC:2254	765.00	OP

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$90
  - \$90 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE